THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.6122 OF 2004

DATED 27-02-2007

Between:

M/s.Rathi Fans,
Siddiamber Bazar, Hyderabad.

…**Petitioner**

And

Commercial Tax Officer,
Hyderabad.

…**Respondent**

The Hon'ble Sri Justice Bilal Nazki
and

The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.6122 of 2004

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Counter-affidavits have been filed. Though no justification has been given by the respondent in the latest affidavits for not awarding refund for a period of four years, but, it is stated at the bar that the amount, to which the petitioner was entitled by way of refund, has already been paid to him.

In view of the fact that the payment had been made to the petitioner, we do not intend to take any further action in the matter.

The learned Counsel for the petitioner, however, submits that in terms of the provisions of the Sales Tax Act, the petitioner is entitled to interest on the amounts paid. In this connection, the petitioner may make an application before the appropriate authority, who shall decide the same within a period of four weeks from the date of its presentation and pass appropriate orders.

The Writ Petition is disposed of accordingly.

_____

(Bilal Nazki, J)

Dated 27th February, 2007

_____

(Nooty Ramamohana Rao, ,J)

lur